

before the expiration of said term or determination of said will to the tenant or to the person actually in possession of the premises to remove from the same at the end of said term, and if the said tenant or person in actual possession shall refuse to comply therewith the lessor, his heirs, executors, administrators or assigns may make complaint thereof in writing to any justice of the peace of the county or city wherein such real estate is situate.

*Gwynn v Jones' Lessee*, 2 G. & J. 173. *DeYoung v. Buchanan*, 10 G. & J. 149. *Vrooman v. McKaig*, 4 Md. 450. *Colvin v. Warford*, 20 Md. 396.

1888, art. 53, sec. 2. 1860, art. 53, sec. 3. 1809, ch. 355.

2. The said justice shall forthwith issue his summons to the tenant or person in possession that he be and appear on a day in said summons mentioned before said justice to show cause (if any he have) why restitution of the possession of the said estate so demised should not be forthwith made to such lessor, his heirs, executors, administrators or assigns.

*Ibid.* sec. 3. 1882, ch. 355.

3. Upon the failure of either of the parties to appear before him on the day in such summons mentioned the said justice shall continue the case to a day not less than six nor more than ten days after said day so first named and notify the parties of such continuance.

*Ibid.* sec. 4. 1860, art. 53, sec. 4. 1882, ch. 355. 1886, ch. 470.  
1890, ch. 626.

4. If upon hearing the said parties, or in case the tenant or person in possession shall neglect to appear after the summons and continuance as aforesaid, proof thereof being made, it shall appear to the justice and be by him so found that the said lessor had been in possession of the said premises so leased or demised, that the said lease or estate is fully ended and expired, that due notice to quit as aforesaid had been given to said tenant or person in possession and that he had refused so to do, the justice shall thereupon give judgment for the restitution of the possession of said premises and shall forthwith issue his warrant to the sheriff commanding him forthwith to deliver to the lessor, his heirs, executors, administrators or assigns possession thereof in as full and ample manner as the lessor was possessed of the same at the time when the leasing or letting was made, and shall give judgment for costs against the tenant or person in possession so holding over; any tenant who